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Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

In the Matter of)	Case No. 09-60760-A-7
)	
DOLORES ANN SMITH,)	Chapter 7
fka DOLORES ANN ROBERTS,)	
)	TGM-1
)	
)	Date: March 10, 2010
)	Time: 9:00 a.m.
Debtor.)	Dept: A, Fresno
)	The Honorable Whitney Rimel

**TRUSTEE'S MOTION FOR ORDER AUTHORIZING TRUSTEE TO SELL PERSONAL
PROPERTY AT PUBLIC AUCTION**

The Motion for Authority to Sell Personal Property at Public
Auction filed by RANDELL PARKER, CHAPTER 7 TRUSTEE represents:

1. Randell Parker ("Trustee"), is the duly qualified,
appointed, and acting trustee in the Chapter 7 case filed by DOLORES
ANN SMITH, fka DOLORES ANN ROBERTS ("Debtor"). Debtor filed for
relief under Chapter 7 of the Bankruptcy Code on November 3, 2009.

2. Debtor owns a 1997 Wilderness Fifth Wheel Trailer
("Trailer").

3. The Trustee seeks authorization from the Bankruptcy Court
to sell the Trailer at public auction on or about March 27,
2010, at 10:00 a.m. under 11 U.S.C. §§ 363 (b) (1) and (f) (4).

1 4. This is a core matter under 28 U.S.C. § 157(b) (2) (A) and
2 (N) .

3 5. The Trustee believes that selling the Trailer at
4 public auction will yield the best price obtainable under the
5 circumstances of the Chapter 7 case filed by Debtor.

6 6. The Trailer is currently located at 8805 District Blvd.,
7 Bakersfield, California.

8 7. The Trustee believes that the sale of the Trailer at public
9 auction is in the best interests of the estate and its creditors
10 because a sale by public auction would be the most efficient and
11 economical way to sell the Trailer. There are a number of bankruptcy
12 estates participating in this auction, and past auctions like this
13 have drawn large crowds. Selling at public auction allows the
14 Trustee to sell the item in a short period of time with the greatest
15 exposure to potential buyers. Trustee anticipates that the sale will
16 yield approximately \$3,000.00 to the estate. There are no liens
17 encumbering this vehicle.

18 8. In order to expedite the sale of the Trailer, the Trustee
19 entered into an agreement with Jerry Gould of Gould Auction and
20 Appraisal Company, to advertise and manage the auction
21 ("Auctioneer"). According to the agreement between the Trustee and
22 Auctioneer, the fees for professional services rendered by Auctioneer
23 will not exceed 15% (fifteen percent) of the gross proceeds of the
24 auction, but the Auctioneer may be reimbursed for up to \$500.00 in
25 extraordinary expenses and a \$100.00 pick-up fee as well as \$50.00
26 DMV transfer costs.

27 9. The details of the compensation to the Auctioneer will be
28 subject to the terms and conditions set forth in the Application

1 for Order Authorizing Employment of Auctioneer to Conduct Public
2 Auction, which will be filed shortly.

3 WHEREFORE, Trustee prays as follows:

4 1. That Trustee's Motion for authority to Sell Personal
5 Property at Public Auction be granted;

6 2. That the Trustee be authorized to sell at public auction
7 a 1997 Wilderness Fifth Wheel Trailer on or about March 27, 2010,
8 at 10:00 a.m., with the auction to be held at 30764 Imperial
9 Street, Shafter, California;

10 3. That the Trustee be authorized to pay Gould Auction from
11 the proceeds received from the auction sale his commission and up
12 to \$500.00 in extra ordinary expenses, a \$100 pick-up fee and
13 \$50.00 for DMV transfer costs without further court order;

14 4. For such other and further relief as the Court deems to
15 be just and proper.

16 Dated: February 12, 2010

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18 /s/ Trudi G. Manfredo
19 TRUDI G. MANFREDO
20 Attorney for Trustee
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